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JERRY NEHL BOYLAN

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JERRY NEHL BOYLAN,

Defendant.

Case No. 2:22-CR-00482-GW

**STIPULATION TO CONTINUE
HEARING ON MOTIONS FOR A
NEW TRIAL**

Current Hearing Date: April 15, 2024

Proposed Hearing Date: April 22, 2024

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff, United States of America, through its attorneys of record, Assistant United States Attorneys Mark A. Williams, Matthew W. O'Brien, Brian Faerstein, and Juan Rodriguez, and Defendant Jerry Boylan, through his attorneys of record, Deputy Federal Public Defenders Gabriela Rivera, Julia Deixler, and Joshua D. Weiss, that:

1. Trial in this matter commenced on October 24, 2023. The jury returned a guilty verdict on the offense of Seaman's Manslaughter, in violation of 18 U.S.C. § 1115, on November 6, 2023. Sentencing is currently set for May 2, 2024.

1 2. On November 11, 2023, the Court entered an order continuing the post-
2 trial briefing schedule and setting a hearing date for April 11, 2024. (ECF No. 350.)

3 3. On February 22, 2024, the defense filed two motions for a new trial (ECF
4 Nos. 387, 391). The government filed oppositions to both motions on March 14 (ECF
5 Nos. 394, 397.) Replies in support of the motions were filed on March 28, 2024 (ECF
6 Nos. 406, 408.) The government has indicated that it may seek leave to file a sur-reply
7 regarding the Motion for a New Trial Based on Error in Lesser-Included Offense
8 Instruction.

9 4. On March 27, on its own motion, the Court continued the hearing on the
10 motions for a new trial from April 11 to April 15 (ECF no. 401).

11 5. Counsel for Mr. Boylan is unavailable on April 15 due to a personal
12 conflict. The defense therefore requests that the hearing be continued to April 22.¹

13 6. The government does not oppose the request for a continuance and is
14 available to proceed with the hearing on April 22, 2024.

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28 ¹ Defense counsel is also unavailable April 25, 26, and 29, and would respectfully request that the Court not set the hearing on those date if the Court is unavailable on April 22.

1 7. For the foregoing reasons, the parties respectfully request that the Court
2 continue the hearing on Mr. Boylan's two motions for a new trial from April 15, 2024
3 to April 22, 2024.

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5 IT IS SO STIPULATED.

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7 Respectfully submitted,
8 CUAUHTEMOC ORTEGA
9 Federal Public Defender

10 DATED: April 2, 2024 By /s/ Julia Deixler
11 GABRIELA RIVERA
12 JULIA DEIXLER
13 JOSHUA D. WEISS
14 Deputy Federal Public Defenders
 Counsel for JERRY BOYLAN

15 MARTIN E. ESTRADA
16 United States Attorney

17 DATED: April 2, 2024 By /s/ by email authorization
18 MARK WILLIAMS
19 MATTHEW O'BRIEN
20 BRIAN FAERSTEIN
 JUAN RODRIGUEZ
 Assistant United States Attorneys
 Counsel for UNITED STATES OF AMERICA